

The American Waterways Operators



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September 20, 1995

Thomas A. Allegritti
President

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FOR THE RECORD

**Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554**

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**RE: Amendment of the Commission's Rules
Concerning Maritime Communications
(Intra-Service Frequency Sharing; PR Docket
No. 92-257)**

Dear Sir or Madam:

The American Waterways Operators (AWO) is the national trade association for the inland and coastal barge and towing industry. AWO's members include the owners and operators of towboats, tugboats, and barges plying the Atlantic, Pacific, and Gulf Coasts of the United States, as well as the nation's inland river system. We submit these comments in response to the Commission's proposal to abolish the commercial/non-commercial categorization of maritime VHF channels and permit intra-service frequency sharing. We are concerned that the Commission's proposal will pose significant safety risks for inland and coastal towing operations.

As responsible commercial vessel operators, AWO's members are firmly committed to safely sharing the waterways on which our vessels operate with recreational vessel traffic. This commitment is manifested both through the AWO Responsible Carrier Program, a code of safe operating practices for member companies, and through our LIFELINES boating safety program. The LIFELINES program provides educational materials to recreational boaters which are designed to broaden the public understanding of the constraints under which large commercial vessels operate, and to encourage compliance with the navigation Rules of the Road, participation in boating safety classes, and proper use of Personal Floatation Devices. While we understand the Commission's objective of relieving the growing communication channel congestion problems experienced by recreational boaters, we believe opening the currently designated "commercial" channels to recreational vessel traffic will jeopardize the safety of commercial vessel operations in crowded waterways.

The nature of a typical inland towing vessel movement illustrates the importance of reliable radio communications to the safety of personnel, property, and the environment and the potentially serious consequences of a disruption in radio communications. With an operating power of between 3500 and 10,000 horsepower an individual towing vessel may control 40

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or more barges, each of which may contain up to 1500 tons of chemicals, coal, grain or other commodities. Radio communication is extremely important in safely managing the complex operations of these vessels, which include such typical maneuvers as moving loaded barges around a harbor to add to a tow, decoupling barges from the tow at a terminal or fleeting area, and shifting barges for tow make-up and configuration. Harmful interference during such a critical operational phase can place both towing vessel crewmembers and others sharing the waterway (including passing recreational traffic) in jeopardy. Merging the commercial and non-commercial maritime frequencies will inevitably increase the risk of disrupted communications and resultant operational mishaps, with potentially serious consequences.

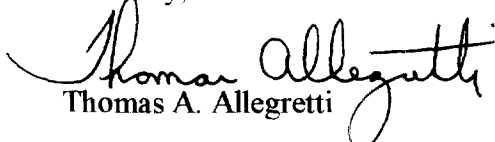
Similarly, the Commission's suggestion that an option be provided allowing single channels to be designated for "specific regional needs, such as towing operations" is not a solution given the barge and towing industry's operational requirements. Frequency congestion naturally occurs in major population centers. It is precisely in these areas that the concentration of industry results in a high volume of commercial maritime operations, and that recreational boating is most prevalent. Changing the frequency designations and reducing the number of channels available for commercial maritime operations presents an increased risk to commercial vessel traffic, not a solution to the recreational boaters' congestion problems.

We believe a better alternative to the Commission's current proposal would be to allow individual channels to be designated as "Commercial/Non-commercial" in a local or regional area with due notice to the local maritime community and with the recommendation of the cognizant FCC field office and the Commission's Compliance and Information Bureau. This approach would provide a means of alleviating congestion in particular areas, such as Ft. Lauderdale, in which recreational boating is particularly active and commercial operations are relatively limited, without threatening safety in those waterways with a high volume of commercial traffic, such as New Orleans, Houston or St. Louis.

While frequency congestion has been and continues to be a problem in the maritime service, for both commercial and recreational vessel operators, the solution to that problem is not to invite additional safety risks by merging the recreational and commercial boating frequencies nationwide. With safety as our primary concern, we urge the Commission to reconsider its proposal to abolish the distinction between the commercial and non-commercial frequencies and consider instead a site-specific approach to frequency sharing in localities with significant recreational traffic and limited commercial service.

Thank you for the opportunity to comment. Enclosed is a stamped, self-addressed envelope. We would appreciate written confirmation that our comments have been received and will be considered in the development of a final rule.

Sincerely,


Thomas A. Allegretti